



Parlamentul României  
Senat

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București, October 31, 2018

**OPINION**  
**of the Senate**

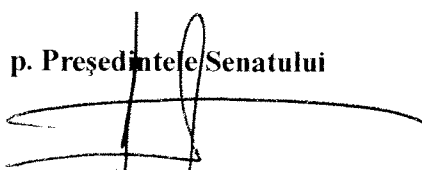
**regarding the Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1393/2007 of the European Parliament and of the Council on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents)**  
**- COM (2018) 379 final -**

**The Romanian Senate** examined the Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters - COM (2018) 379 final - according to the provisions of the Treaty of Lisbon (Protocol no. 2).

Taking into account the report of November 24, 2018 of the permanent Committee for European Affairs, the Plenum of the Senate, during its session of October 31, 2018, ascertains as follows:

1. The present proposal respects the principles of subsidiarity and proportionality.
2. The legal basis of the proposal is Article 81 TFEU.
3. Certifies the validity of the chosen legal form, that of the regulation.
4. Appreciates the introduction of modern means of communication, which enables the obtaining and communication of evidence by videoconferencing transmitted over the internet.
5. Appreciates the acceptance of digital samples obtained in accordance with the legislation of the Member State also by the state in which they are transmitted.
6. Recommends clarification of the definition of court term in order for the originator's intention to become explicit with regard to the types of court concerned - judicial or otherwise (eg mediation offices, arbitration courts, etc.).
7. Recommends clarification of the legal basis of the system for the transmission of notifications and communications of judicial and extrajudicial documents, e-CODEX.

p. Președintele Senatului



**Adrian TUȚIANU**